



UNITED STATES PATENT AND TRADEMARK OFFICE

**COMMISSIONER FOR PATENTS**  
**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**WASHINGTON, D.C. 20231**  
**[www.uspto.gov](http://www.uspto.gov)**

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/844,432	04/30/2001	Aaron W. Buchwald	1875.0560001

26111  
STERNE, KESSLER, GOLDSTEIN & FOX PLLC  
1100 NEW YORK AVENUE, N.W., SUITE 600  
WASHINGTON, DC 20005-3934

**CONFIRMATION NO. 9072**



\*OC00000006246472\*

Date Mailed: 06/29/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

**Filing Date Granted**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
  - The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
  - To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
  - **The balance due by applicant is \$ 840.**

*A copy of this notice **MUST** be returned with the reply.*

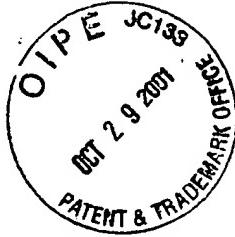
Customer Service Center

Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**

10/30/2001 BSAYASI1 00000027 09844432

01 FC:101  
02 FC:105



STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skf.com

SEARCHED  
INDEXED  
FILED  
JULY 31 2001

ROBERT GREENE STERNE  
EDWARD J. KESSLER  
JORGE A. GOLDSTEIN  
SAMUEL L. FOX\*\*  
DAVID K.S. CORNWELL  
ROBERT W. EDMOND  
TRACY-GENE G. DURKIN  
MICHELE A. CIMBALA  
MICHAEL B. RAY  
ROBERT E. SOKOHL  
ERIC K. STEFFE  
MICHAEL Q. LEE  
STEVEN R. LUDWIG

JOHN M. COVERT  
LINDA E. ALCORN  
ROBERT C. MILLONIG  
MICHAEL V. MESSINGER  
JUDITH U. KIM  
TIMOTHY J. SHEA, JR.  
DONALD R. MCPHAIL  
PATRICK E. GARRETT  
JEFFREY T. HELVEY\*  
HEIDI L. KRAUS  
JEFFREY R. KURIN  
RAYMOND MILLIEN  
PATRICK D. O'BRIEN

LAWRENCE B. BUGAISKY  
CRYSTAL D. SAYLES  
EDWARD W. YEE  
ALBERT L. FERRO\*  
DONALD R. BANOWIT  
PETER A. JACKMAN  
MOLLY A. MCCALL  
TERESA U. MEDLER  
JEFFREY S. WEAVER  
KRISTIN K. VIDOVICH  
KENDRICK P. PATTERSON  
DONALD J. FEATHERSTONE  
GRANT E. REED

VINCENT L. CAPUANO  
JOHN A. HARROUN\*  
ALBERT J. FASULO II\*  
ELDORA ELLISON FLOYD\*  
W. RUSSELL SWINDELL  
THOMAS C. FIALA  
BRIAN J. DEL BUONO\*  
VIRGIL L. BEASTON\*  
RYAN J. STAMPER\*  
KAREN R. MARKOWICZ\*\*  
SUZANNE E. ZISKA\*\*  
ANDREA J. KAMAGE\*\*  
NANCY J. LEITH\*\*

ELIZABETH J. HAANES\*\*  
MARK P. TERRY\*\*  
JOSEPH M. CONRAD, III\*\*  
DOUGLAS M. WILSON\*\*  
REGINALD D. LUCAS\*\*  
ANN E. SUMMERFIELD\*\*  
CYNTHIA M. BOUCHEZ\*\*  
HELENE C. CARLSON\*\*  
BRUCE E. CHALKER\*\*  
DUSTIN T. JOHNSON\*\*  
MATTHEW J. DOWD\*\*

\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

October 29, 2001

WRITER'S DIRECT NUMBER:  
(202) 312-7261  
INTERNET ADDRESS:  
AFASUL0@SKGF.COM

Commissioner for Patents  
Washington, D.C. 20231

Box: Missing Parts

Re: U.S. Utility Patent Application  
Appl. No. 09/844,432; Filed: April 30, 2001  
For: **Timing Recovery and Frequency Tracking System and Method**  
Inventors: BUCHWALD *et al.*  
Our Ref: 1875.0560001

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated **June 29, 2001**, Applicant submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. PTO Fee Transmittal Form PTO/SB/17 (*in duplicate*);
2. Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1) (*in duplicate*);
3. Copy of the Notice to File Missing Parts;
4. Original Declaration, executed by the inventors;
5. An original executed Power of Attorney from Assignee;
6. Certificate Under 37 C.F.R. § 3.73(b) with a copy of the Assignment attached;
7. One (1) return postcard; and

Commissioner for Patents  
October 29, 2001  
Page 2

8. Our Check No. 32962 for \$1,270.00 to cover:  
\$740.00 Filing Fee for Patent Application (37 C.F.R. § 1.16);  
\$400.00 Two (2) month extension of time fee; and  
\$130.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16).

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Albert J. Fasulo, II  
Attorney for Applicants  
Registration No. 43,607

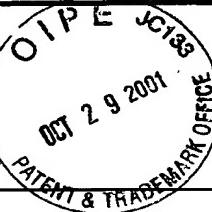
Enclosures

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$ 1,270.00)



Complete if Known

Application Number	09/844,432
Filing Date	April 30, 2001
First Named Inventor	Aaron W. BUCHWALD
Examiner Name	To Be Assigned
Group Art Unit	2681
Attorney Docket No.	1875.0560001

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number  
19-0036

Deposit Account Name  
Sterne, Kessler, Goldstein & Fox P.L.L.C.

Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

Applicant claims small entity status  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other\*

\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

## FEE CALCULATION (continued)

3. ADDITIONAL FEES  
Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	400.00
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) :					
Other fee (specify) :					

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 530.00)

Complete (if applicable)

## SUBMITTED BY

Name (Print/Type)	Albert J. Fasulo, II	Registration No. (Attorney/Agent)	43,607	Telephone	202-371-2600
Signature	Albert J. Fasulo, II			Date	October 29, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGF Rev. 10/01/01 mnac

PAUSERS\DTALLEY\AJF file1875056.1\reply ntfmp fee transmittal